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The Further Development of Representative Government in Hong Kong

**Address by the Governor
Sir Edward Youde, GCMG, MBE,
to the Legislative Council
on 18 July 1984**

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Honourable Members of the Legislative Council,

Introduction

1. I have called this special meeting of the Council this afternoon in order to address you on a subject which is of crucial importance to the future of this community. That subject is the further development of representative government in Hong Kong. A Green Paper, published today, sets out our proposals and invites public discussion of them.

2. The proposals in the Green Paper are the culmination at the central government level of a process which started some years ago as a tentative experiment in one of our new towns. From a single advisory board in Tsuen Wan there developed a system of District Boards for each district of Hong Kong. Following publication in 1980 of the Green Paper entitled 'A Pattern of District Administration in Hong Kong', direct elections to the Boards were introduced in 1982. There followed in 1983 the first constituency-based elections to the Urban Council, based on the same broad franchise; although the Urban Council had included members elected on a more restricted franchise for many years before that.

3. In continuation of this process of strengthening representative government at the local level, the number of elected members of District Boards will be doubled next year. At the same time a provisional Regional Council will be established for those areas of Hong Kong not already managed by the Urban Council. The year after, in 1986, elected members will constitute the majority of the Regional Council.

4. These changes between now and 1986 will complete the structure of Government at the local and regional level, and will put responsibility for the provision of services and the management of local affairs firmly within the control of local representative organizations.

5. The introduction of elections on a broad franchise has been a substantial step forward for Hong Kong. It has enabled elected representatives to voice their views on government policies, programmes and performance at the district level, and, in the short period of their existence, the Boards have made a significant contribution to the life of Hong Kong. There is already a close link between the Boards and the Urban Council, and similar links will be established with the new Regional Council. At the higher level members of the Urban Council have been appointed to the Legislative Council for a number of years, and more recently members of District Boards have also been appointed to the Council. We now need to take the next step which is to consider not only the composition of the two central Councils, but the method of selecting their members.

6. This is the object of the Green Paper. The aims of the proposals contained in it are these—

first, to develop a system of government which is firmly rooted in our community; on which the views of the community are fully represented; and which is more directly accountable to the people of Hong Kong;

second, to develop this system progressively, building on our existing institutions, and on our well-established practice of government by consensus; and *third*, to give an opportunity for our proposals to be tested against the experience we gain in implementing them; to this end it is proposed to review the position in 1989 before deciding the direction and timing of any further development of the system.

The Development of the Present System of Government in Hong Kong

7. Our present system of government operates on the basis of consultation and consensus. This unique system has developed around the representation of the views of the community in two ways: through the representation on the one hand of regional and district interests, based on institutions such as the Urban Council, the Heung Yee Kuk and District Boards; and on the other, the representation of occupational interests, such as commerce and industry, law, education, medicine and social services, all of which play an important role in our social and economic life.

8. These two parallel approaches to representation have had a strong influence on the development of our system of government, and also on the policies of the Government. Because it allows time and opportunity for debate and dissent, the process of synthesising the views of these geographical and functional constituencies is often difficult and prolonged; but in the end it almost always results in a policy acceptable to the community as a whole.

9. It is from these geographical and functional constituencies that the appointed Unofficial Members of the Legislative Council and the Executive Council have traditionally been drawn. It is now proposed to build on them in developing a system for the election of a substantial number of the Unofficial Members of the Councils. But it is also proposed to retain, at least for the time being, some appointed Unofficial Members; for we need continuity and experience on the Councils.

Direct Elections

10. Suggestions have been made that direct elections to the Legislative Council, based on a universal franchise, should be introduced as soon as possible. Such arrangements are a standard feature of many democratic systems of government, but they have not always succeeded in guaranteeing stable representative government.

11. In Hong Kong it is clearly essential that stability should be maintained. Moreover, our special political circumstances must be taken into account; and our system of representation must give full weight to those interests on which our present position as a leading international industrial, commercial and financial centre is based, and which are essential to our future prosperity. All this argues strongly that change should be progressive, that it should be tailored to Hong Kong's distinctive society and circumstances, and that it should be based on the well-tried systems which have served Hong Kong so well.

12. If we were to introduce direct elections to the Legislative Council now, we should run the risk of a swift introduction of adversarial politics, and an element of instability at a crucial time. The time for direct elections may come. In due course, as the political and constitutional circumstances of Hong Kong evolve, and if popular support for the idea develops, further thought will be given to this possibility. But prudence and the over-riding need for stability at a crucial time in Hong Kong's history dictate the gradual approach which is proposed.

The Proposals

13. I do not intend to describe the proposals in the Green Paper in great detail. The paper should be studied in its entirety by all those concerned for the future of this community. But I shall summarize the main features of them.

14. They deal principally with the two main central Government institutions, the Legislative Council and the Executive Council.

The Legislative Council

15. As regards the Legislative Council, it is proposed that a substantial number of the Unofficial Members of the Council should be elected indirectly by an electoral college composed of all members of the Urban Council, the new Regional Council and the District Boards; and that a similar number should be elected by specified functional constituencies: by this we mean organizations representing commerce, industry, the law and other important aspects of our economic and social life; that a number of appointed Unofficial Members should be retained on the Council, for the time being; and that there should be a gradual reduction in the number of Official Members of the Council. By 1988, the Legislative Council would be composed of 12 Unofficial Members elected by the electoral college, 12 Unofficial Members elected by the functional constituencies, 16 appointed Unofficial Members and ten Official Members. This compares with the present Council of 29 appointed Unofficial Members and 18 Officials.

16. It will take time for the people of Hong Kong to become familiar with the new system of indirect elections which is proposed in the Green Paper. For this reason it is our intention to introduce this new system step by step, and to review progress after the initial stages have been implemented, before deciding what further steps should be taken.

17. The specific arrangements I have just described would be introduced in two stages—in 1985 and 1988—following the District Board elections in each of those years.

18. In 1989, there would be a review of the position with a view to determining what further developments should be pursued. In particular, the review will assess whether by then it would be the wish of the community that all Unofficial Members should thereafter be elected, or whether there would still be a need for a number of directly appointed members. At this time too, it would be possible to

consider whether there was a wish to introduce direct elections based on geographical constituencies, or whether to continue and develop further the system of indirect elections.

The Executive Council

19. As regards the Executive Council, it is proposed that the majority of the appointed Unofficial Members of that Council should be replaced progressively by Members elected by the Unofficial Members of the Legislative Council from their number; that a few Members should continue to be appointed by the Governor; and that Ex-officio Members should remain as Members of the Council. These proposed arrangements for the Executive Council would also be introduced in two stages—in 1988 and 1991—following the Legislative Council elections in each of those years.

20. The intention is that, by 1991, the Executive Council should be composed of at least eight Members elected by the Unofficial Members of the Legislative Council, two Members appointed by the Governor and four Ex-officio Members; however, these numbers might be modified in the light of the review in 1989 of the composition and method of selection of the Legislative Council.

A Ministerial System

21. Suggestions have been made from time to time that Unofficial Members of the Executive and Legislative Councils should play a greater part in the administration of Hong Kong by assuming some sort of executive role, similar to the ministerial functions performed by elected representatives in other countries. As I stressed earlier, it is essential to preserve the stability and harmony of the community at this critical time in our history. The system of the Executive Council giving its advice collectively has worked well. The proposals set out in the Green Paper, concerning the method of selection to the principal institutions of Government, themselves represent substantial change, and must be absorbed before any changes to the structure of Government itself are introduced. It is not, therefore, proposed to pursue the idea of a ministerial system at present; it may be considered at a later stage after the new system of selection has been implemented and given time to settle down.

The Governor

22. The proposals concerning the Legislative and Executive Councils which I have described will naturally raise questions in your minds about the future position of the Governor, particularly his relationship with the two Councils and the future method of his selection.

23. There will be some changes in the role of Governor: for example, the Governor's powers to appoint Members of the Executive and Legislative Councils will be reduced. The Governor's presidency of the Legislative Council is a function unconnected with his other functions, and it is proposed that he should

in due course be replaced as President of the Legislative Council by a Presiding Officer selected or elected from among the Members of the Council. But nothing beyond that is proposed at this stage. In the case of his relationship with the Executive Council, convention has already modified the Governor's exclusive right to refer matters to the Council and to reject the advice of the Council: this right has not been exercised for many years. Formal changes in these powers might be considered at a future time.

24. The Green Paper, however, makes no proposals in respect of the Governor's relationship with the Executive Council and the method of his appointment. These are matters requiring further reflection because the constitutional implications of any such changes will have to be considered very carefully. Whatever changes may be proposed in due course, the Governor will continue to be appointed formally by Her Majesty the Queen until the United Kingdom relinquishes responsibility for Hong Kong in 1997.

Conclusion

25. Honourable Members, the aim of the proposals in the Green Paper is to take a further step on the way to establishing a system which derives its authority from the Hong Kong community; and to this end to enable the people of Hong Kong to become more directly involved in selecting their Government. Our proposals recognize the complex balance of interests which lies at the foundation of Hong Kong's success. They recognize that this balance has been maintained through adherence to the principles of stability and consensus. They are progressive, but gradual: they seek to maintain the best features of the systems which have served Hong Kong well in the past. At the same time, the proposals recognize the political realities of Hong Kong. In drawing up our proposals we have had regard to the special circumstances of Hong Kong and the need to maintain our good relationship with our mainland neighbour. We have also done our utmost in framing these proposals to ensure that there need be no conflict with the principle of continuity between the systems in force both before and after 1997.

26. These proposals present the Hong Kong community with an opportunity and a challenge. The opportunity is to participate, and I urge all those entitled to vote to register in good time for next year's elections. The challenge is to ensure that the political process in Hong Kong should remain stable and concentrate on Hong Kong matters. The exercise of the opportunity will require a high sense of responsibility, and a careful concern for stability among both candidates and voters.

27. I have no doubt that the Government's proposals will be discussed with the care and wisdom always shown in Hong Kong on such matters. Your administration will welcome public discussion and constructive comment, and will give careful consideration to it. We intend to allow two months for such discussion. Having taken the views of the public into account, it is our intention later this year to publish a White Paper which will set down the conclusions reached, and to introduce the necessary legislation into this Council.

